

# EXHIBIT 16

CONFIDENTIAL  
Christian Ekstrand - May 7, 2021

Page 183

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
MASTER DOCKET 18-MD-2865 (LAK)  
CASE NO. 18-CV-09797

-----  
IN RE: )  
)  
)

CUSTOMS AND TAX ADMINISTRATION OF )  
THE KINGDOM OF DENMARK )  
(SKATTEFORVALTNINGEN) TAX REFUND )  
SCHEME LITIGATION )  
)  
-----)

\*\*\*\*\*  
\* \*  
\* CONFIDENTIAL \*  
\* \*  
\*\*\*\*\*

REMOTE VTC VIDEOTAPED DEPOSITION UNDER ORAL  
EXAMINATION OF  
CHRISTIAN EKSTRAND - VOLUME II  
DATE: May 7, 2021

REPORTED BY: CHARLENE FRIEDMAN, CCR, RPR, CRR



CONFIDENTIAL  
Christian Ekstrand – May 7, 2021

3 (Pages 188 to 191)

Page 188	Page 189
<p>1 A P P E A R A N C E S:</p> <p>2</p> <p>3 KATTEN</p> <p>4 575 Madison Avenue</p> <p>5 New York, NY 10022</p> <p>6 BY: DAVID GOLDBERG, ESQ.</p> <p>7 MICHAEL ROSENAFT, ESQ.</p> <p>8 Via VTC</p> <p>9 Attorneys for Klugman</p> <p>10 SEWARD &amp; KISSEL</p> <p>11 One Battery Park Plaza</p> <p>12 New York, NY 10004</p> <p>13 BY: SHREY SHARMA, ESQ.</p> <p>14 THOMAS R. HOOPER, ESQ.</p> <p>15 MARK J. HYLAND, ESQ.</p> <p>16 Via VTC</p> <p>17 Attorneys for Bernard Tew</p> <p>18 LAW OFFICES OF SHELDON S. TOLL</p> <p>19 2000 Town Center</p> <p>20 Southfield, MI 48075</p> <p>21 BY: SHELDON S. TOLL, ESQ.</p> <p>22 Via VTC</p> <p>23 Attorneys for Hoffmeister</p> <p>24</p> <p>25 MORVILLO, ABROMOWITZ, GRAND, IASON &amp; ANELLO</p> <p>565 5th Avenue</p> <p>New York, NY 10017</p> <p>BY: RICHARD WEINBERG, ESQ.</p> <p>Attorneys for Clove Pension Plan, Mill River</p> <p>Pension Plan, Traden Investment Pension Plan</p>	<p>1 ALSO PRESENT: JOSE RIVERA, Videographer</p> <p>2 THOMAS SPILLER</p> <p>3 ROSENBLATT LAW</p> <p>4</p> <p>5 ANNE CHRISTINE KJAER EGHOLM</p> <p>6</p> <p>7 CHRISTINE P. VINTHER</p> <p>8</p> <p>9 CHRISTIAN BLOW</p> <p>10</p> <p>11 HELENE SCHWEIERING</p> <p>12</p> <p>13 JENS KJAERGAARD</p> <p>14</p> <p>15 INGDR GREGERSEN, Interpreter</p> <p>16</p> <p>17 KIRSTEN FOLLIN, Interpreter</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
Page 190	Page 191
<p>1 I N D E X</p> <p>2 WITNESS NAME PAGE</p> <p>3 CHRISTIAN EKSTRAND</p> <p>4</p> <p>5 Examination By: Mr. Schoenfeld 195</p> <p>6 Mr. Binder 295</p> <p>7 Mr. Weinstein 298</p> <p>8 * * * * *</p> <p>9</p> <p>10 E X H I B I T S</p> <p>11 EKSTRAND NO. DESCRIPTION PAGE</p> <p>12 3062 SKAT_MDL_001_00411777 - 198</p> <p>13 00411778</p> <p>14 3063 SKAT_MDL_001_00437466 - 201</p> <p>15 00437468</p> <p>16 3064 SKAT_MDL_001_00411550 - 206</p> <p>17 00411553</p> <p>18 3065 SKAT_MDL_001_00405922 212</p> <p>19 3066 SKAT_MDL_001_00404831 215</p> <p>20 3067 SKAT_MDL_001_00503329 - 228</p> <p>21 00503333</p> <p>22 3068 SKAT_MDL_001_00483489 - 229</p> <p>23 00483491</p> <p>24 3002 SKAT_MDL_001_00281025 - 238</p> <p>25 00281029</p> <p>3052 SKAT_MDL_001_00517918 - 245</p> <p>00517939</p> <p>3003 SKAT_MDL_001_00281058 - 249</p> <p>00281080</p>	<p>1 E X H I B I T S (CONTINUED)</p> <p>2 EKSTRAND NO. DESCRIPTION PAGE</p> <p>3 3053 SKAT_MDL_001_00349334 - 258</p> <p>4 00349338</p> <p>5 3004 SKAT_MDL_001_00375736 - 260</p> <p>6 00375739</p> <p>7 3009 SKAT_MDL_001_00281103 - 263</p> <p>8 00281120</p> <p>9 3056 SKAT_MDL_001_00439953 - 269</p> <p>10 00439957</p> <p>11 3057 SKAT_MDL_001_00432034 - 276</p> <p>12 00432037</p> <p>13 3071 SKAT_MDL_001_00475569 - 280</p> <p>14 00475570</p> <p>15 3075 SKAT_MDL_001_00467931 - 289</p> <p>16 00467943</p> <p>17 * * * * *</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

Page 192

Page 193

	Deposition Support Index					
	Page		Line		Page	
	Line	Page	Line	Page	Line	Page
Direction to Witness Not to Answer						
Page	Line	Page	Line	Page	Line	Page
None						
Request for Production of Documents						
Page	Line	Page	Line	Page	Line	Page
None						
Stipulations						
Page	Line	Page	Line	Page	Line	Page
None						
Questions Marked						
Page	Line	Page	Line	Page	Line	Page
None						

1 THE COURT REPORTER: My name is  
2 Charlene Friedman, a Certified Shorthand  
3 Reporter. This deposition is being held via  
4 videoconferencing equipment.  
5 The witness and reporter are not in  
6 the same room. The witness will be sworn in  
7 remotely pursuant to agreement of all  
8 parties. The parties stipulate that the  
9 testimony is being given as if the witness  
10 was sworn in person.  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Page 194

Page 195

1 VIDEO OPERATOR: We are now on  
2 record. This is the continued remote video  
3 deposition of Christian Ekstrand.  
4 Today is Friday, May 7, 2020. The  
5 time is now 6:01 a.m. New York time.  
6 We are here in the matter of In Re  
7 Custom and Tax Administration Kingdom of  
8 Denmark et al. All counsel have been noted  
9 on record.  
10 My name is Jose Rivera, remote  
11 video technician on behalf of Gregory Edwards  
12 LLC. At this time, will the reporter,  
13 Charlene Friedman, on behalf of Gregory  
14 Edwards LLC, please re-swear in the  
15 interpreter and the witness.  
16  
17 I N G D R G R E G E R S E N,  
18 Called as the official interpreter in  
19 this action, was duly sworn to faithfully translate  
20 the questions to the witness from English to  
21 Danish, and the answers from Danish to English.  
22  
23 C H R I S T I A N E K S T R A N D,  
24 called as a witness, having been first duly  
25 sworn according to law, testifies as follows:

1  
2 CONTINUED EXAMINATION BY MR. SCHOENFELD:  
3 Q Good morning, Mr. Ekstrand.  
4 A Good morning.  
5 Q Mr. Ekstrand, do I understand  
6 correctly that you had no involvement with  
7 dividend withholding tax until 2015?  
8 MR. WEINSTEIN: Objection to form.  
9 A Yes, I have had no dealings with  
10 the dividend withholding tax until 2015 when  
11 I received this case.  
12 Q And when in 2015 did you receive  
13 this case?  
14 A That was in June 2015.  
15 Q What were your responsibilities as  
16 of the date that you first learned about this  
17 case?  
18 So what I'm asking is: What was  
19 your sort of general job description when you  
20 first came into this case?  
21 A At the time, I was project  
22 manager/investigator. So the two, project  
23 manager and investigator, in cases regarding  
24 economic crime, financial crime.  
25 Q How did cases come to you in that

CONFIDENTIAL  
Christian Ekstrand - May 7, 2021

5 (Pages 196 to 199)

<p style="text-align: right;">Page 196</p> <p>1 capacity? Were they -- well, how did cases 2 come to you in that capacity? 3 <b>A</b> I would receive or we would receive 4 these cases in a number of different ways. 5 They could come from other departments in the 6 tax administration. 7 We could pick up cases on our own 8 initiative in case we had seen things where 9 we thought there was something to 10 investigate. We would receive cases from 11 private individuals, from businesses and 12 companies, or from other authorities as 13 a -- where they filed a report on something. 14 <b>Q</b> And within the office where you 15 worked, how many project managers were there? 16 <b>A</b> At the time, we were -- at that 17 time, we were two in the department; one 18 covering eastern Denmark, which was me, and 19 one covering western Denmark. 20 <b>Q</b> Who was covering western Denmark? 21 <b>A</b> Her name was Line Haslev. It's 22 L-I-N-E, and then Haslev, H-A-S-L-E-V. 23 <b>Q</b> Did you have any employees 24 reporting directly into you at this point in 25 time?</p>	<p style="text-align: right;">Page 197</p> <p>1 <b>A</b> No. 2 <b>Q</b> Who did you directly report into? 3 <b>A</b> Into my department manager, Lill 4 Drost. 5 <b>Q</b> Okay. So what is the first you 6 learn about this issue in June of 2015? 7 <b>A</b> We had a meeting at the time that 8 we -- 9 <b>MR. SCHOENFELD:</b> I'm sorry. Can we 10 pause you, Ms. Gregersen? We're having 11 trouble hearing you. It's breaking up on 12 your end. 13 <b>A</b> We had a meeting at the time for 14 the whole Special Control department or 15 function. I'm not quite sure whether it was 16 called Special Control at the time, but that 17 was it. 18 It was a kind of a theme or topic 19 they -- at the meeting, I was contacted by 20 our deputy director at the time, Ann 21 Munksgaard, who had received reports through 22 a Danish lawyer who, on behalf of a client, 23 had reported that somebody or somebodies was 24 defrauding Denmark with respect to dividend 25 tax.</p>
<p style="text-align: right;">Page 198</p> <p>1 Ann passed on this information to 2 me and asked me to look into the matter. 3 <b>Q</b> Do you know why the -- the tipster 4 reached out to Ann Munksgaard? 5 <b>A</b> Because she was -- Ann Munksgaard 6 was the deputy director of the department 7 handling financial crime at the time. 8 <b>Q</b> Did she have a relationship with 9 the lawyer who sent in the tip? 10 <b>MR. WEINSTEIN:</b> Objection. 11 <b>A</b> I wouldn't imagine so, but I don't 12 know. 13 <b>Q</b> Let's take a look at Exhibit 3062. 14 <b>MR. WEINSTEIN:</b> Can you say the 15 exhibit number again, Alan? 16 <b>MR. SCHOENFELD:</b> 3062. 17 (Above-mentioned document for 18 Identification.) 19 <b>Q</b> Do you have the document in front 20 of you? 21 <b>A</b> Yes, we have the document in front 22 of us. 23 <b>Q</b> Okay. The e-mail from Mr. Amstrup 24 to Ms. Munksgaard refers to a telephone 25 conversation they had just had.</p>	<p style="text-align: right;">Page 199</p> <p>1 Do you see that? 2 <b>A</b> Yes. 3 <b>Q</b> Did Ms. Munksgaard inform you what 4 the telephone conversation she had with 5 Mr. Amstrup was? 6 <b>A</b> He only told me that he'd had the 7 telephone conversation and that he would 8 submit some information on the -- on the 9 issue, I would say. 10 <b>Q</b> The letter mentions or the e-mail 11 mentions that the fraud allegedly consists of 12 borrowed shares circulating between a number 13 of companies. 14 Did that mean anything to you at 15 that time? Did you have any understanding of 16 what that was referring to? 17 <b>MR. WEINSTEIN:</b> Objection to form. 18 <b>A</b> Yes. As I read the e-mail, I do 19 understand that it concerns shares that 20 people do not own but that they've borrowed 21 them. 22 <b>Q</b> And you understood that this issue 23 of borrowed shares had something to do with 24 alleged tax fraud, correct? 25 <b>MR. WEINSTEIN:</b> Objection to form.</p>

CONFIDENTIAL  
Christian Ekstrand - May 7, 2021

6 (Pages 200 to 203)

Page 200	Page 201
<p>1       <b>A</b>   Well, I read the information that's</p> <p>2 in the e-mail and I understand what the issue</p> <p>3 is, yes, you can say that, but I did not know</p> <p>4 the specific legal basis at the time.</p> <p>5       <b>Q</b>   And lower down in the e-mail, it</p> <p>6 mentions a group of reclaim companies that</p> <p>7 are alleged to have participated in the</p> <p>8 fraud. You see Goal Taxback and others.</p> <p>9       Do you see that?</p> <p>10       <b>A</b>   Yes.</p> <p>11       <b>Q</b>   Did you do anything with this</p> <p>12 information, the list of potentially involved</p> <p>13 entities, when you received this e-mail?</p> <p>14       <b>A</b>   Yes. The first thing is, what we</p> <p>15 normally do is, when we find out this</p> <p>16 information, whether we can confirm this</p> <p>17 information or have confirmation that this</p> <p>18 information is correct.</p> <p>19       <b>Q</b>   What steps did you take, if any, on</p> <p>20 or about June 16, 2015 to confirm whether the</p> <p>21 information was correct?</p> <p>22       <b>A</b>   So as it's stated in this e-mail,</p> <p>23 it says, "Hi, we have to follow up on this</p> <p>24 matter tomorrow."</p> <p>25       So no steps were taken on the 16th,</p>	<p>1 and the lawyer at that time promised us more</p> <p>2 information, so we await that information.</p> <p>3       <b>Q</b>   And does the lawyer follow up with</p> <p>4 additional information?</p> <p>5       <b>A</b>   Yes, she did. She did.</p> <p>6       <b>Q</b>   If you flip to Exhibit 3063?</p> <p>7       (Above-mentioned document marked</p> <p>8 for Identification.)</p> <p>9       <b>Q</b>   If you look in the middle of the</p> <p>10 second page, there's a response from Ann</p> <p>11 Munksgaard to Michael Amstrup.</p> <p>12       Do you see that?</p> <p>13       <b>A</b>   Yes.</p> <p>14       <b>Q</b>   So, on June 16th, she tells Michael</p> <p>15 Amstrup, "We're looking into it," correct?</p> <p>16       <b>A</b>   Yes, it says so.</p> <p>17       <b>Q</b>   What were you doing on the 16th to</p> <p>18 look into this alleged fraud?</p> <p>19       <b>A</b>   I don't remember doing anything on</p> <p>20 the 16th. As Ann wrote to me, "We have to</p> <p>21 follow up and talk about this tomorrow."</p> <p>22       So we had to -- we told them that</p> <p>23 we had to agree how to handle it, what to do</p> <p>24 in this matter.</p> <p>25       <b>Q</b>   Mr. Amstrup mentions in his initial</p>
Page 202	Page 203
<p>1 e-mail that he suspects the fraud to involve</p> <p>2 around 500 million kroner, correct?</p> <p>3       <b>A</b>   Yes, that's correct.</p> <p>4       <b>Q</b>   Is that the largest case that was</p> <p>5 ever referred to you at that time in terms of</p> <p>6 the kroner value of the case?</p> <p>7       <b>A</b>   Yes.</p> <p>8       <b>Q</b>   On the 17th, Mr. Amstrup e-mails</p> <p>9 again, correct?</p> <p>10       <b>A</b>   Yes, that's correct.</p> <p>11       <b>Q</b>   And he says -- he again mentions a</p> <p>12 gentleman named Sanjay Shah, correct?</p> <p>13       <b>A</b>   Yes, that's correct.</p> <p>14       <b>Q</b>   And he offers to provide a list of</p> <p>15 companies that allegedly acted as fictitious</p> <p>16 owners of the shares, correct?</p> <p>17       <b>A</b>   Yes.</p> <p>18       <b>Q</b>   Do you know whether Ms. Munksgaard</p> <p>19 ever requested that information?</p> <p>20       <b>A</b>   I don't think she actually asked</p> <p>21 for the information, but he sends that</p> <p>22 information.</p> <p>23       <b>Q</b>   Did you have any direct</p> <p>24 communications with Mr. Amstrup at this time?</p> <p>25       <b>A</b>   I did not have any communication</p>	<p>1 with Mr. Amstrup at that time, and I haven't</p> <p>2 had communication with him later.</p> <p>3       <b>Q</b>   So in this letter or in this</p> <p>4 e-mail, Mr. Amstrup again provides the names</p> <p>5 of the reclaim agents.</p> <p>6       <b>A</b>   What e-mail are we talking about?</p> <p>7       <b>Q</b>   The e-mail on June 17, 2015.</p> <p>8       <b>A</b>   Yes.</p> <p>9       <b>Q</b>   And he provides the names of other</p> <p>10 individuals and other entities potentially</p> <p>11 involved in the fraud, correct?</p> <p>12       <b>A</b>   Yes, that's correct.</p> <p>13       <b>Q</b>   Do you do anything on the 17th of</p> <p>14 June to try to learn more about these</p> <p>15 entities or individuals?</p> <p>16       <b>A</b>   I don't remember particularly doing</p> <p>17 anything on the 17th. But in the days after,</p> <p>18 we started looking into this matter to see</p> <p>19 what was on it. We didn't have a case at</p> <p>20 that time.</p> <p>21       We had received a lot of</p> <p>22 information that we had to try to verify</p> <p>23 whether it was correct or not, whether it's</p> <p>24 the substance in what was reported or -- and</p> <p>25 whether it can form the basis for starting a</p>

CONFIDENTIAL  
Christian Ekstrand - May 7, 2021

7 (Pages 204 to 207)

<p style="text-align: right;">Page 204</p> <p>1 case altogether, starting up a case.</p> <p>2 <b>Q</b> Do you -- at this point in time, do</p> <p>3 you have any understanding of where within</p> <p>4 SKAT the dividend withholding tax processing</p> <p>5 unit lies?</p> <p>6 <b>MR. WEINSTEIN:</b> Objection to form.</p> <p>7 <b>A</b> No, at the time, I didn't know</p> <p>8 precisely which department holds dividend</p> <p>9 withholding tax reclaims.</p> <p>10 <b>Q</b> And at some point did you learn it</p> <p>11 was Accounting 2?</p> <p>12 <b>A</b> Yes. In connection with my</p> <p>13 investigation, I found out how this is</p> <p>14 processed. And we have a list of tasks for</p> <p>15 that purpose where you can look at the tasks,</p> <p>16 the handle in the Tax Administration, all</p> <p>17 together.</p> <p>18 I do that and I find a person's</p> <p>19 name, Sven Neilsen. So I sent him an e-mail</p> <p>20 and tell him that I need some information.</p> <p>21 <b>Q</b> Do you recall when you e-mailed</p> <p>22 Sven Neilsen?</p> <p>23 <b>A</b> I'm not quite certain, but I think</p> <p>24 it's the 24th June.</p> <p>25 <b>Q</b> Okay. What steps do you take, if</p>	<p style="text-align: right;">Page 205</p> <p>1 any, on June 17th or the days after to learn</p> <p>2 more about the people or entities mentioned</p> <p>3 in Mr. Amstrup's e-mail?</p> <p>4 <b>A</b> In SKAT, we have several different</p> <p>5 case and recording filing systems. And the</p> <p>6 procedure we normally follow, irrespective of</p> <p>7 the nature, we do searches in these systems</p> <p>8 to see if we can find any information on the</p> <p>9 issue or the parties involved.</p> <p>10 <b>Q</b> What are the systems called?</p> <p>11 <b>A</b> "Work Zone" is one and "Tax</p> <p>12 Assessment," "Skattvurdering," which means</p> <p>13 "tax assessment." So the system is called</p> <p>14 "Tax Assessment," if we translate the</p> <p>15 department name or the system name.</p> <p>16 So "Work Zone" and "Tax</p> <p>17 Assessment."</p> <p>18 <b>Q</b> What sort of information is</p> <p>19 included in Tax Assessment?</p> <p>20 <b>A</b> Tax assessment information on</p> <p>21 individuals. And it's the same information,</p> <p>22 but primarily for foreign instances.</p> <p>23 <b>Q</b> Any other systems you consulted?</p> <p>24 <b>A</b> Well, there's a planning system,</p> <p>25 but we do a normal Google search to find out</p>
<p style="text-align: right;">Page 206</p> <p>1 if -- about companies or individuals, or</p> <p>2 other parties mentioned in this report that</p> <p>3 was filed.</p> <p>4 <b>Q</b> If you look at Exhibit 3064?</p> <p>5 (Above-mentioned document marked</p> <p>6 for Identification.)</p> <p>7 <b>Q</b> There's another e-mail from Michael</p> <p>8 Amstrup to Ann Munksgaard, and then an e-mail</p> <p>9 from Ann Munksgaard to you. And she mentions</p> <p>10 that she's spoken to Search and Control.</p> <p>11 Do you see that?</p> <p>12 <b>A</b> Yes.</p> <p>13 <b>Q</b> What's Search and Control?</p> <p>14 <b>A</b> Well, you can say that all reports</p> <p>15 that come into tax have to be filed in the</p> <p>16 correct place, and in this case, that's</p> <p>17 Search and Control.</p> <p>18 So the normal procedure would be</p> <p>19 that you file your report with Search and</p> <p>20 Control and they review the information and</p> <p>21 they report and ensure that it is sent to the</p> <p>22 administrator of the project where they</p> <p>23 believe it belongs.</p> <p>24 So here it's gone directly to a</p> <p>25 deputy director. But in order to get it</p>	<p style="text-align: right;">Page 207</p> <p>1 correctly in the system and recorded,</p> <p>2 Search and Control would have been the right</p> <p>3 place to make this phone call to.</p> <p>4 <b>Q</b> Is Search and Control a team or a</p> <p>5 unit within SKAT?</p> <p>6 <b>A</b> Yes.</p> <p>7 <b>Q</b> And does it have access to systems</p> <p>8 other than Tax Assessment and Work Zone to</p> <p>9 identify information about individuals or</p> <p>10 companies?</p> <p>11 <b>A</b> To my knowledge, they have access</p> <p>12 to the same systems as I have.</p> <p>13 <b>Q</b> Do they have access to prior</p> <p>14 internal reports concerning issues of concern</p> <p>15 to SKAT?</p> <p>16 <b>MR. WEINSTEIN:</b> Objection to form.</p> <p>17 <b>A</b> I don't know.</p> <p>18 <b>Q</b> If a SKAT employee had previously</p> <p>19 indicated concerns about potential fraud</p> <p>20 relating to dividend withholding tax, would</p> <p>21 you expect Tax Assessment, Work Zone, or</p> <p>22 Search and Control to have access to that</p> <p>23 information?</p> <p>24 <b>MR. WEINSTEIN:</b> Objection to form.</p> <p>25 <b>THE INTERPRETER:</b> Would you please</p>

CONFIDENTIAL  
Christian Ekstrand - May 7, 2021

13 (Pages 228 to 231)

<p style="text-align: right;">Page 228</p> <p>1 beginning when I received this information.  2 Q Okay. Let's look at the next  3 exhibit, which is 3067.  4 (Above-mentioned document marked  5 for Identification.)  6 Q Do you have that in front of you?  7 A Yes.  8 Q On August 4th, you e-mail Ann  9 Munksgaard and you say, "There's finally a  10 hole through to Taastrup, T-A-A-S-T-R-U-P. I  11 found the right people around recovery of  12 dividend taxes."  13 A Yes.  14 Q What did you mean, "there's finally  15 a hole through to Taastrup?"  16 A So as made in previous  17 communication, I had tried, on several  18 occasions, to establish contact to  19 individuals in Taastrup. And finally, as far  20 as I remember, this was on August the 3rd, I  21 was able to reach the unit head in Taastrup.  22 Q And that's Dorthe Madsen?  23 A Yes.  24 Q Taastrup is the city where  25 Accounting 2 is located.</p>	<p style="text-align: right;">Page 229</p> <p>1 Is that right?  2 A Taastrup is where the unit dealing  3 with the dividend tax case is located.  4 Q What unit is that?  5 A This is Accounting 2.  6 Q Okay. So what decisions are made  7 at the August 6th meeting?  8 A As far as I remember, no decisions  9 were made. A communication for a decision  10 was made.  11 As so, far as I remember, Dorthe  12 Pannerup made a recommendation to stop  13 payment, and the recommendation was made to  14 her deputy director.  15 Q Please look at Exhibit 3068.  16 (Above-mentioned document marked  17 for Identification.)  18 Q You send this e-mail on August 7,  19 2015 to Ann Munksgaard and Lill Drost,  20 correct?  21 A Yes.  22 Q And in the second paragraph of the  23 e-mail, you say, "I know this case is already  24 at the deputy director level, Rene Jørgensen.  25 They must take action on this payment."</p>
<p style="text-align: right;">Page 230</p> <p>1 Is that right?  2 A Yes.  3 THE INTERPRETER: So after Rene  4 Jørgensen, can you read to me again what  5 you -- what your translation said?  6 Q Well, were you saying that -- were  7 you recommending that they take action to  8 stop payment on dividend reclaims?  9 A No, I did not, because I am not  10 authorized to make such recommendations.  11 That should come from Dorthe Pannerup and  12 this is what René should decide that he wants  13 to do.  14 Q Why did René have responsibility  15 for making this decision?  16 A Because he's head of Payment and  17 Account is the name of Account 2 before.  18 Q In the paragraph starting "Vi har  19 fundet," do you see the sentence beginning  20 "Der er aldrig?"  21 Do you see that?  22 A Yes.  23 Q In that paragraph, you're  24 describing your understanding of how the  25 fraud was conducted, correct?</p>	<p style="text-align: right;">Page 231</p> <p>1 A Based on the information that we  2 had received from the U.K.  3 Q And you say that "physical  4 transfers of equities, securities, or  5 payments have never been made."  6 Is that right?  7 A Yes, it is true. Because in the  8 report it says that we're only talking about  9 a number of items listed in the books without  10 shares or without money.  11 That is what we are basing this on.  12 Q Explain what you mean when you say  13 that you're "talking about a number of items  14 listed in the books without shares or without  15 money."  16 A So what we were told is that in  17 this case there are no shares and there --  18 there is no money. And when we see the case,  19 if we see documentation, now I am, of course,  20 trying to interpret what I've seen.  21 What we were seeing was only  22 bookkeeping figures on a piece of paper  23 without any actual contents, which means that  24 no shares and no money were actually involved  25 in it.</p>


CONFIDENTIAL  
Christian Ekstrand - May 7, 2021

25 (Pages 276 to 279)

<p style="text-align: right;">Page 276</p> <p>1 our first analysis with A.P. Møller Maersk.  2 A.P. Møller-E-L-L-E-R, and then M-A-E-R-S-K.  3 As far as I remember, we did our  4 first analysis for -- on A.P. Møller Maersk.  5 I think that, in connection with payment  6 of -- from 2014, I think that was over  7 100 percent.  8 Q So is that -- are you referring to  9 Exhibit 3057?  10 A Yes.  11 (Above-mentioned document marked  12 for Identification.)  13 Q Mr. Ekstrand, the analysis that  14 you're performing in these documents in 2016,  15 this could have been performed in 2014,  16 correct, based on information available to  17 SKAT?  18 MR. WEINSTEIN: Objection to the  19 form.  20 A As I said before, in theory, you  21 can conduct these investigations. We only  22 made these investigations based on the report  23 we received that fraud had been going on,  24 which, for us, was the -- was the impetus to  25 get started on this whole investigation</p>	<p style="text-align: right;">Page 277</p> <p>1 process.  2 Q So we talked earlier this morning  3 about the series of events in the summer of  4 2015 where you learned about allegations that  5 a fraud was being perpetrated on SKAT.  6 A Correct.  7 Q And so, I think where we left  8 things was at the August 6, 2015 meeting that  9 Dorthe Pannerup convened.  10 Can you explain to me what happened  11 after that meeting with respect to the  12 decision to stop paying reclaims?  13 A No, I can't explain because that  14 process was out of my hands. This was solely  15 a process handled by Dorthe.  16 My focus was on the -- was on the  17 fraud perpetrated.  18 Q So explain to me how you began to  19 investigate the fraud?  20 A So, after the meeting, I went with  21 Sven Neilsen to his office. I asked him to  22 show me system 3S.  23 I asked him to check -- make some  24 random pension plan names that I had brought  25 with me. And we discovered hits for these</p>
<p style="text-align: right;">Page 278</p> <p>1 companies, that payments had been made to  2 these companies.  3 I asked him to find the relevant  4 applications. And that way, we could work  5 our way to locating a substantial number of  6 applications that had been made in connection  7 with the company in question.  8 And then a more extensive  9 verification process began, because by that  10 time, we had a list of -- as far as I  11 remember, 180 names, and lists we had  12 received from the U.K. authorities.  13 And so we did various searches with  14 these -- on these names and found various  15 material pertaining to them, in order  16 to -- in order to calculate the amount that  17 we had paid out to these various pension  18 plans.  19 Q Did you make any factual  20 determinations as to how these pension plans  21 had perpetrated the fraud on SKAT?  22 A So, no. What this was about was  23 establishing the amount in total that had  24 been paid out, and to collect the relevant  25 material supporting this, and send everything</p>	<p style="text-align: right;">Page 279</p> <p>1 to the police for further investigation.  2 Q And remind me, how did you assemble  3 the list of pension plans that you had  4 provided to obtain more information on?  5 A So this was a list that I had  6 received from the U.K. authorities.  7 Q Did you do anything else with the  8 list or was it just the contents of that  9 list?  10 MR. WEINSTEIN: Objection to form.  11 A So the list contained names of  12 applicants. So obviously, we used the names  13 to search for information.  14 Q Did you make any effort to relate  15 the applicants to each other, or relate them  16 to additional applicants that weren't on the  17 list from the U.K. authorities?  18 MR. WEINSTEIN: Objection to form.  19 A So we have made reporting on this  20 case on three occasions to the police. The  21 first report we made to the police is placed  22 with the 180-odd names of companies.  23 And based on that, we, of course,  24 expanded outside parameters to see if there  25 were any more similar cases, whether there</p>

CONFIDENTIAL  
Christian Ekstrand - May 7, 2021

31 (Pages 300 to 303)

<p style="text-align: right;">Page 300</p> <p>1 A Yes, it was.</p> <p>2 Q Okay. You can put that aside.</p> <p>3 You testified about a meeting that</p> <p>4 you attended on 6th of August, 2015 with</p> <p>5 Dorte Pannerup and others.</p> <p>6 A Correct.</p> <p>7 Q At that meeting, there was</p> <p>8 discussion about stopping refund payments.</p> <p>9 Is that right?</p> <p>10 A Correct.</p> <p>11 Q You mentioned that it was not the</p> <p>12 ultimate decision whether SKAT could stop</p> <p>13 payments.</p> <p>14 Is that right?</p> <p>15 A Correct.</p> <p>16 Q Did SKAT stop making refund</p> <p>17 payments after that meeting?</p> <p>18 A They did, yes.</p> <p>19 Q Did it stop the payments the same</p> <p>20 day as the meeting took place?</p> <p>21 A Yes.</p> <p>22 Q I want to ask you to turn to</p> <p>23 Page 291 of the 30(b)(6) document bundle that</p> <p>24 you have.</p> <p>25 You were asked earlier today about</p>	<p style="text-align: right;">Page 301</p> <p>1 a working group that was set up after the</p> <p>2 SIR 2010 report was issued.</p> <p>3 A Yes.</p> <p>4 Q Is this memo at Page 291 a memo of</p> <p>5 the working group dated June 8th of 2011?</p> <p>6 A Correct.</p> <p>7 Q It discusses the work of the</p> <p>8 working group?</p> <p>9 A Correct.</p> <p>10 Q I'm going to have you turn now to</p> <p>11 Exhibit 3009. This is the ER2013 report we</p> <p>12 looked at earlier today.</p> <p>13 A Yes.</p> <p>14 Q If you turn to Section 3.8, does</p> <p>15 that section identify action steps that SKAT</p> <p>16 took in response to the SIR 2002 audit</p> <p>17 report?</p> <p>18 A Yes.</p> <p>19 MR. WEINSTEIN: We have no further</p> <p>20 questions, Mr. Ekstrand.</p> <p>21 MR. SCHOENFELD: Nothing further</p> <p>22 here.</p> <p>23 VIDEO OPERATOR: Please stand by.</p> <p>24 The time is 11:27 a.m. New York time and</p> <p>25 we're going off the record.</p>
<p style="text-align: right;">Page 302</p> <p>1 (Whereupon, the deposition was</p> <p>2 concluded at 11:27 a.m.)</p> <p>3 (Witness was excused.)</p> <p>4 THE COURT REPORTER: Just recapping</p> <p>5 orders, Hughes Hubbard, two realtime hookups,</p> <p>6 rough draft, two-day final.</p> <p>7 Hanamirian, standard delivery copy.</p> <p>8 Kostelanetz, standard delivery</p> <p>9 copy, plus one realtime hookup.</p> <p>10 K&amp;L Gates, rough draft, standard</p> <p>11 delivery copy, plus one realtime hookup.</p> <p>12 Wilmer Hale, five realtime hookups,</p> <p>13 rough draft, standard delivery copy.</p> <p>14 Binder &amp; Schwartz, one realtime</p> <p>15 hookup, rough draft, standard delivery copy.</p> <p>16 Dewey Pegno, rough draft, standard</p> <p>17 delivery copy.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 303</p> <p style="text-align: center;">C E R T I F I C A T E</p> <p>1 I, CHARLENE FRIEDMAN, a Certified Court</p> <p>2 Reporter and Notary Public, qualified in and for</p> <p>3 the State of New Jersey do hereby certify that</p> <p>4 prior to the commencement of the examination</p> <p>5 CHRISTIAN EKSTRAND was duly sworn by me to testify</p> <p>6 to the truth the whole truth and nothing but the</p> <p>7 truth.</p> <p>8 I DO FURTHER CERTIFY that the foregoing</p> <p>9 is a true and accurate transcript of the testimony</p> <p>10 as taken stenographically by and before me at the</p> <p>11 time, place and on the date hereinbefore set forth.</p> <p>12 I DO FURTHER certify that I am neither a</p> <p>13 relative of nor employee nor attorney nor counsel</p> <p>14 for any of the parties to this action, and that I</p> <p>15 am neither a relative nor employee of such attorney</p> <p>16 or counsel, and that I am not financially</p> <p>17 interested in the action.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: center;"></p> <p style="text-align: center;">CHARLENE FRIEDMAN, RPR, CRR, CCR of the State of New Jersey License No: 30X100204900 Date: May 7, 2021</p>

CONFIDENTIAL  
Christian Ekstrand – May 7, 2021

32 (Pages 304 to 307)

Page 304	Page 305
<div style="display: flex; justify-content: space-between;"> <div style="width: 10%;">1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</div> <div style="width: 10%; text-align: center;">PAGE LINE</div> <div style="width: 80%;">LAWYER'S NOTES</div> </div> <div style="margin-top: 10px;"> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> <div style="border-bottom: 1px solid black; width: 100%;"></div> </div>	<div style="display: flex; justify-content: space-between;"> <div style="width: 10%;">1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</div> <div style="width: 90%;"> <p style="text-align: center;">DEPOSITION ERRATA SHEET</p> <p style="text-align: center;">DECLARATION UNDER PENALTY OF PERJURY</p> <p>I declare under penalty of perjury that I have read the entire transcript of my Deposition taken in the captioned matter or the same has been read to me, and the same is true and accurate, save and except for changes and/or corrections, if any, as indicated by me on the DEPOSITION ERRATA SHEET hereof, with the understanding that I offer these changes as if still under oath.</p> <p style="text-align: right;">Signed on the _____ day of _____, 20____</p> <p style="text-align: center;">_____ CHRISTIAN EKSTRAND</p> </div> </div>
<div style="display: flex; justify-content: space-between;"> <div style="width: 10%;">1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</div> <div style="width: 90%;"> <p style="text-align: center;">DEPOSITION ERRATA SHEET</p> <p>Page No. _____ Line No. _____ Change to: _____</p> <p>Reason for change: _____</p> <p>Page No. _____ Line No. _____ Change to: _____</p> <p>Reason for change: _____</p> <p>Page No. _____ Line No. _____ Change to: _____</p> <p>Reason for change: _____</p> <p>Page No. _____ Line No. _____ Change to: _____</p> <p>Reason for change: _____</p> <p>Page No. _____ Line No. _____ Change to: _____</p> <p>Reason for change: _____</p> <p>Page No. _____ Line No. _____ Change to: _____</p> <p>Reason for change: _____</p> <p>SIGNATURE: _____ DATE: _____</p> <p style="text-align: center;">CHRISTIAN EKSTRAND</p> </div> </div>	<div style="display: flex; justify-content: space-between;"> <div style="width: 10%;">1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</div> <div style="width: 90%;"> <p style="text-align: center;">DEPOSITION ERRATA SHEET</p> <p>Page No. _____ Line No. _____ Change to: _____</p> <p>Reason for change: _____</p> <p>Page No. _____ Line No. _____ Change to: _____</p> <p>Reason for change: _____</p> <p>Page No. _____ Line No. _____ Change to: _____</p> <p>Reason for change: _____</p> <p>Page No. _____ Line No. _____ Change to: _____</p> <p>Reason for change: _____</p> <p>Page No. _____ Line No. _____ Change to: _____</p> <p>Reason for change: _____</p> <p>Page No. _____ Line No. _____ Change to: _____</p> <p>Reason for change: _____</p> <p>SIGNATURE: _____ DATE: _____</p> <p style="text-align: center;">CHRISTIAN EKSTRAND</p> </div> </div>